"बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी. 2-22-छत्तीसगढ़ गजट/38 सि. से. भिलाई, दिनांक 30-5-2001."



पंजीयन क्रमांक "छत्तीसगढ़/दुर्ग/तक. 114-009/2003/20-1-03."

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 7] रायपुर, शनिवार, दिनांक 6 जनवरी 2007—पौष 16, शक 1928

RAJ BHAVAN, RAIPUR

Raipur, the 29th December 2006

ORDER

[Under clause (1) of Article 192 of the Constitution of India]

No. F 107/RB/SA/06.—A petition dated 3rd October 2006 by Shri S C Khakharia and Shri N C Gupta, and another dated 3rd November 2006 by Shri M L Pawar, Advocate, Raipur, alleging disqualification of (1) Dr. Ramchandra Singhdeo, (2) Shri Rampukar Singh, (3) Shri Dhanendra Sahu, (4) Shri Satyanarayan Sharma, (5) Shri Mahendra Karma, (6) Shri Kawasi Lakhma, (7) Shri Mohd. Akbar and (8) Shri Yogeshwar Raj Singh, Members of Chhattisgarh Legislative Assembly, under sub clause (a) of clause (1) of article 191 of the Constitution of India, were submitted to Governor of Chhattisgarh.

2. By reference dated 16th October 2006 and dated 8th November 2006 under clause 2 of article 192 of the Constitution, the opinion of Election Commission of India on the question as to whether the above mentioned Members of Chhattisgarh Legislative Assembly had become subject to disqualification under sub clause (a) of clause (1) of article 191 of the Constitution, has been sought. The Election Commission of India has given its opinion that in view of the well settled constitutional position, the question of the alleged disqualification of the above mentioned Members of Chhattisgarh Legislative Assembly, being a case of pre-election disqualification, if at all, can not be raised before, or decided by, the Governor of Chhattisgarh under clause 1 of article 192 of the Constitution and that the present petitions are, therefore, not maintainable before the Governor of Chhattisgarh.

3. I, Lt. Gen. K. M. Seth, PVSM, AVSM (Retd.), Governor of Chhattisgarh, after taking into account all relevant material facts and the opinion of the Election Commission as aforesaid, do hereby decide that the above petitions of Shri S C Khakharia and another and Shri M L Pawar, are not maintainable under Article 192 (1) of the Constitution and therefore the petitions are rejected.

December 29, 2006

Sd/-

Lt. Gen. K. M. Seth, PVSM, AVSM (Retd.)
Governor of Chhattisgarh.

संचालक, मुद्रण तथा लेखन सामग्री, छत्तीसगढ़ द्वारा शासकीय क्षेत्रीय मुद्रणालय, राजनांदगांव से मुद्रित तथा प्रकाशित—2007.